



General Assembly

January Session, 2013

***Raised Bill No. 6644***

LCO No. 4294



Referred to Committee on PUBLIC HEALTH

Introduced by:  
(PH)

***AN ACT CONCERNING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-32c of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 There is created a Biomedical Research Trust Fund which shall be a  
4 separate nonlapsing fund. The trust fund may accept transfers from  
5 the Tobacco Settlement Fund and may apply for and accept gifts,  
6 grants or donations from public or private sources to enable the  
7 account to carry out its objectives. [On and after July 1, 2001, the] The  
8 Commissioner of Public Health may make grants-in-aid from the trust  
9 fund to eligible institutions for the purpose of funding biomedical  
10 research in the fields of heart disease, cancer and other tobacco-related  
11 diseases, and Alzheimer's disease and diabetes. [For the fiscal year  
12 ending June 30, 2002, the total amount of such grants-in-aid made  
13 during the fiscal year shall not exceed two million dollars. For the  
14 fiscal year ending June 30, 2003, and each fiscal year thereafter, the  
15 total amount of such grants-in-aid made during the fiscal year] Each

16 fiscal year, the total amount of moneys deposited in the account shall  
 17 be used by the Commissioner of Public Health for such grants-in-aid,  
 18 provided such grants-in-aid shall not exceed fifty per cent of the total  
 19 amount held in the trust fund as of the date such grants-in-aid are  
 20 approved. [Not later than April 1, 2001, the] Two per cent of the total  
 21 available amount held in the trust fund shall be made available to the  
 22 Department of Public Health for administration expenses relating to  
 23 the trust fund and making the grants-in-aid. The Commissioner of  
 24 Public Health shall develop an application for grants-in-aid under this  
 25 section and may receive applications from eligible institutions for such  
 26 grants-in-aid. [on and after said date.] For purposes of this section,  
 27 "eligible institution" means an entity that has its principle place of  
 28 business located in the state and is (1) a nonprofit, tax-exempt  
 29 academic institution of higher education, or (2) a hospital that  
 30 conducts biomedical research.

31       Sec. 2. Section 19a-266 of the general statutes is repealed and the  
 32 following is substituted in lieu thereof (*Effective January 1, 2014*):

33       (a) For purposes of this section:

34       (1) "Breast cancer screening and referral services" means necessary  
 35 breast cancer screening services and referral services for a procedure  
 36 intended to treat cancer of the human breast, including, but not limited  
 37 to, surgery, radiation therapy, chemotherapy, hormonal therapy and  
 38 related medical follow-up services.

39       (2) "Cervical cancer screening and referral services" means necessary  
 40 cervical cancer screening services and referral services for a procedure  
 41 intended to treat cancer of the human cervix, including, but not limited  
 42 to, surgery, radiation therapy, cryotherapy, electrocoagulation and  
 43 related medical follow-up services.

44       (3) "Unserved or underserved populations" means women who are:  
 45 (A) At or below two hundred fifty per cent of the federal poverty level  
 46 for individuals; (B) without health insurance that covers breast cancer

47 screening mammography or cervical cancer screening services; and (C)  
48 twenty-one to sixty-four years of age.

49 (b) There is established, within existing appropriations, a breast and  
50 cervical cancer early detection and treatment referral program, within  
51 the Department of Public Health, to (1) promote screening, detection  
52 and treatment of breast cancer and cervical cancer among unserved or  
53 underserved populations, (2) educate the public regarding breast  
54 cancer and cervical cancer and the benefits of early detection, and (3)  
55 provide counseling and referral services for treatment.

56 (c) The program shall include, but not be limited to:

57 (1) Establishment of a public education and outreach initiative to  
58 publicize breast cancer and cervical cancer early detection services and  
59 the extent of coverage for such services by health insurance; the  
60 benefits of early detection of breast cancer and the recommended  
61 frequency of screening services, including clinical breast examinations  
62 and mammography; and the medical assistance program and other  
63 public and private programs and the benefits of early detection of  
64 cervical cancer and the recommended frequency of pap tests;

65 (2) Development of professional education programs, including the  
66 benefits of early detection of breast cancer and the recommended  
67 frequency of mammography and the benefits of early detection of  
68 cervical cancer and the recommended frequency of pap tests;

69 (3) Establishment of a system to track and follow up on all women  
70 screened for breast cancer and cervical cancer in the program. The  
71 system shall include, but not be limited to, follow-up of abnormal  
72 screening tests and referral to treatment when needed and tracking  
73 women to be screened at recommended screening intervals;

74 (4) Assurance that all participating providers of breast cancer and  
75 cervical cancer screening are in compliance with national and state  
76 quality assurance legislative mandates.

77 (d) The Department of Public Health shall provide unserved or  
78 underserved populations, within existing appropriations and through  
79 contracts with health care providers: (1) Clinical breast examinations,  
80 screening mammograms and pap tests, as recommended in the most  
81 current breast and cervical cancer screening guidelines established by  
82 the United States Preventive Services Task Force, for the woman's age  
83 and medical history; and (2) a pap test every six months for women  
84 who have tested HIV positive.

85 [(e) The organizations providing the testing and treatment services  
86 shall report to the Department of Public Health the names of the  
87 insurer of each underinsured woman being tested to facilitate  
88 recoupment.]

89 Sec. 3. Subsection (c) of section 19a-491c of the general statutes is  
90 repealed and the following is substituted in lieu thereof (*Effective*  
91 *October 1, 2013*):

92 (c) (1) Except as provided in subdivision (2) of this subsection, each  
93 long-term care facility, prior to extending an offer of employment to, or  
94 entering into a contract for, the provision of long-term care services  
95 with any individual who will have direct access, or prior to allowing  
96 any individual to [have direct access while] begin volunteering at such  
97 long-term care facility when the long-term care facility reasonably  
98 expects such volunteer will regularly perform duties that are  
99 substantially similar to those of an employee with direct access, shall  
100 require that such individual submit to a background search. The  
101 Department of Public Health shall prescribe the manner by which (A)  
102 long-term care facilities perform the review of (i) the registry of nurse's  
103 aides maintained by the department pursuant to section 20-102bb, and  
104 (ii) any other registry specified by the department, including requiring  
105 long-term care facilities to report the results of such review to the  
106 department, and (B) individuals submit to state and national criminal  
107 history records checks, including requiring the Department of  
108 Emergency Services and Public Protection to report the results of such

109 checks to the Department of Public Health.

110 (2) No long-term care facility shall be required to comply with the  
111 provisions of this subsection if the individual provides evidence to the  
112 long-term care facility that such individual submitted to a background  
113 search conducted pursuant to subdivision (1) of this subsection not  
114 more than three years immediately preceding the date such individual  
115 applies for employment, seeks to enter into a contract or begins  
116 volunteering with the long-term care facility and that the prior  
117 background search confirmed that the individual did not have a  
118 disqualifying offense.

119 Sec. 4. Subsection (a) of section 19a-490 of the general statutes is  
120 repealed and the following is substituted in lieu thereof (*Effective*  
121 *October 1, 2013*):

122 (a) "Institution" means a hospital, short-term hospital special  
123 hospice, hospice inpatient facility, residential care home, health care  
124 facility for the handicapped, nursing home, rest home, home health  
125 care agency, homemaker-home health aide agency, mental health  
126 facility, assisted living services agency, substance abuse treatment  
127 facility, outpatient surgical facility, an infirmary operated by an  
128 educational institution for the care of students enrolled in, and faculty  
129 and employees of, such institution; a facility engaged in providing  
130 services for the prevention, diagnosis, treatment or care of human  
131 health conditions, including facilities operated and maintained by any  
132 state agency, except facilities for the care or treatment of mentally ill  
133 persons or persons with substance abuse problems; and a residential  
134 facility for the mentally retarded licensed pursuant to section 17a-227  
135 and certified to participate in the Title XIX Medicaid program as an  
136 intermediate care facility for the mentally retarded;

137 Sec. 5. Subsection (c) of section 19a-491 of the general statutes is  
138 repealed and the following is substituted in lieu thereof (*Effective*  
139 *October 1, 2013*):

(c) Notwithstanding any regulation, [to the contrary,] the Commissioner of Public Health shall charge the following fees for the biennial licensing and inspection of the following institutions: (1) Chronic and convalescent nursing homes, per site, four hundred forty dollars; (2) chronic and convalescent nursing homes, per bed, five dollars; (3) rest homes with nursing supervision, per site, four hundred forty dollars; (4) rest homes with nursing supervision, per bed, five dollars; (5) outpatient dialysis units and outpatient surgical facilities, six hundred twenty-five dollars; (6) mental health residential facilities, per site, three hundred seventy-five dollars; (7) mental health residential facilities, per bed, five dollars; (8) hospitals, per site, nine hundred forty dollars; (9) hospitals, per bed, seven dollars and fifty cents; (10) nonstate agency educational institutions, per infirmary, one hundred fifty dollars; [and] (11) nonstate agency educational institutions, per infirmary bed, twenty-five dollars; (12) short-term hospitals special hospice, per site, nine hundred forty dollars; (13) short-term hospitals special hospice, per bed, seven dollars and fifty cents; (14) hospice inpatient facility, per site, four hundred forty dollars; and (15) hospice inpatient facility, per bed, five dollars.

Sec. 6. Subsection (b) of section 19a-87b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) No person shall act as an assistant or substitute staff member to a person or entity maintaining a family day care home, as defined in section 19a-77, without an approval issued by the Commissioner of Public Health. Any person seeking to act as an assistant or substitute staff member in a family day care home shall submit an application for such approval to the department. Applications for approval shall: (1) Be made to the commissioner on forms provided by the department, (2) contain the information required by regulations adopted under this section, and (3) be accompanied by a fee of [twenty] fifteen dollars. The approval application forms shall contain a notice that false statements made in such form are punishable in accordance with section 53a-157b.

173 Sec. 7. Section 52-146o of the general statutes is repealed and the  
174 following is substituted in lieu thereof (*Effective October 1, 2013*):

175 (a) Except as provided in sections 52-146c to 52-146j, inclusive,  
176 sections 52-146p, 52-146q and 52-146s, and subsection (b) of this  
177 section, in any civil action or any proceeding preliminary thereto or in  
178 any probate, legislative or administrative proceeding, a physician, ~~[or]~~  
179 surgeon or other provider, as defined in subsection (b) of section 20-7b,  
180 shall not disclose (1) any communication made to him or her by, or any  
181 information obtained by him or her from, a patient or the conservator  
182 or guardian of a patient with respect to any actual or supposed  
183 physical or mental disease or disorder, or (2) any information obtained  
184 by personal examination of a patient, unless the patient or ~~[his]~~ the  
185 patient's authorized representative explicitly consents to such  
186 disclosure.

187 (b) Consent of the patient or ~~[his]~~ the patient's authorized  
188 representative shall not be required for the disclosure of such  
189 communication or information (1) pursuant to any statute or  
190 regulation of any state agency or the rules of court, (2) by a physician,  
191 surgeon or other ~~[licensed health care]~~ provider against whom a claim  
192 has been made, or there is a reasonable belief will be made, in such  
193 action or proceeding, to ~~[his]~~ the patient's attorney or professional  
194 liability insurer or such insurer's agent for use in the defense of such  
195 action or proceeding, (3) to the Commissioner of Public Health for  
196 records of a patient of a physician, surgeon or health care provider in  
197 connection with an investigation of a complaint, if such records are  
198 related to the complaint, or (4) if child abuse, abuse of an elderly  
199 individual, abuse of an individual who is physically disabled or  
200 incompetent or abuse of an individual with intellectual disability is  
201 known or in good faith suspected.

202 Sec. 8. Section 19a-496 of the general statutes is repealed and the  
203 following is substituted in lieu thereof (*Effective October 1, 2013*):

204       (a) An institution which is in operation at the time of the adoption of  
 205       any regulations under section 19a-495, shall be given a reasonable time  
 206       [, not to exceed one year from the date of such adoption,] within which  
 207       to comply with such regulations. The provisions of this section shall  
 208       not be construed to require the issuance of a license, or to prevent the  
 209       suspension or revocation thereof, to an institution which does not  
 210       comply with minimum requirements of health, safety and comfort  
 211       designated by the Department of Public Health through regulation  
 212       adopted under the provisions of section 19a-495.

213       (b) The department may inspect an institution to determine  
 214       compliance with applicable state statutes and regulations. Upon a  
 215       finding of noncompliance with such statutes or regulations, the  
 216       department shall issue a written notice of noncompliance to the  
 217       institution. Not later than ten days after such institution receives a  
 218       notice of noncompliance, the institution shall submit a plan of  
 219       correction to the department in response to the items of  
 220       noncompliance identified in such notice. The plan of correction shall  
 221       include: (1) The measures that the institution intends to implement or  
 222       systemic changes that the institution intends to make to prevent a  
 223       recurrence of each identified issue of noncompliance; (2) the date each  
 224       corrective measure or change taken by the institution is effective; (3)  
 225       the institution's plan to monitor its quality assessment and  
 226       performance improvement functions to ensure that the corrective  
 227       measure or systemic change is sustained; and (4) the title of the  
 228       institution's staff member that is responsible for ensuring the  
 229       institution's compliance with its plan of correction. The plan of  
 230       correction shall be deemed to be the institution's representation of  
 231       compliance with the identified state statutes or regulations identified  
 232       in the department's notice of noncompliance. Any institution that fails  
 233       to submit a plan of correction that meets the requirements of this  
 234       section may be subject to disciplinary action.

235       Sec. 9. Section 20-13c of the general statutes is repealed and the  
 236       following is substituted in lieu thereof (*Effective October 1, 2013*):



237       The board is authorized to restrict, suspend or revoke the license or  
238       limit the right to practice of a physician or take any other action in  
239       accordance with section 19a-17, for failure to conform to the accepted  
240       standards of the profession that includes, but is not limited to, any of  
241       the following: [reasons:] (1) Physical illness or loss of motor skill,  
242       including, but not limited to, deterioration through the aging process;  
243       (2) emotional disorder or mental illness; (3) abuse or excessive use of  
244       drugs, including alcohol, narcotics or chemicals; (4) illegal,  
245       incompetent or negligent conduct in the practice of medicine; (5)  
246       possession, use, prescription for use, or distribution of controlled  
247       substances or legend drugs, except for therapeutic or other medically  
248       proper purposes; (6) misrepresentation or concealment of a material  
249       fact in the obtaining or reinstatement of a license to practice medicine;  
250       (7) failure to adequately supervise a physician assistant; (8) failure to  
251       fulfill any obligation resulting from participation in the National  
252       Health Service Corps; (9) failure to maintain professional liability  
253       insurance or other indemnity against liability for professional  
254       malpractice as provided in subsection (a) of section 20-11b; (10) failure  
255       to provide information requested by the department for purposes of  
256       completing a health care provider profile, as required by section 20-13j;  
257       (11) engaging in any activity for which accreditation is required under  
258       section 19a-690 or 19a-691 without the appropriate accreditation  
259       required by section 19a-690 or 19a-691; (12) failure to provide evidence  
260       of accreditation required under section 19a-690 or 19a-691 as requested  
261       by the department pursuant to section 19a-690 or 19a-691; (13) failure  
262       to comply with the continuing medical education requirements set  
263       forth in section 20-10b; or (14) violation of any provision of this chapter  
264       or any regulation established hereunder. In each case, the board shall  
265       consider whether the physician poses a threat, in the practice of  
266       medicine, to the health and safety of any person. If the board finds that  
267       the physician poses such a threat, the board shall include such finding  
268       in its final decision and act to suspend or revoke the license of said  
269       physician.

270 Sec. 10. Section 20-29 of the general statutes is repealed and the  
271 following is substituted in lieu thereof (*Effective October 1, 2013*):

272 The Board of Chiropractic Examiners may take any of the actions set  
273 forth in section 19a-17 for failure to conform to the accepted standards  
274 of the profession that includes, but is not limited to, any of the  
275 following: [reasons:] The employment of fraud or deception in  
276 obtaining a license, habitual intemperance in the use of ardent spirits,  
277 narcotics or stimulants to such an extent as to incapacitate the user for  
278 the performance of professional duties, violation of any provisions of  
279 this chapter or regulations adopted hereunder, engaging in fraud or  
280 material deception in the course of professional services or activities,  
281 physical or mental illness, emotional disorder or loss of motor skill,  
282 including, but not limited to, deterioration through the aging process,  
283 illegal, incompetent or negligent conduct in the practice of  
284 chiropractic, failure to maintain professional liability insurance or  
285 other indemnity against liability for professional malpractice as  
286 provided in subsection (a) of section 20-28b, failure to comply with the  
287 continuing education requirements as set forth in section 20-32, or  
288 failure to provide information to the Department of Public Health  
289 required to complete a health care provider profile, as set forth in  
290 section 20-13j. Any practitioner against whom any of the foregoing  
291 grounds for action under said section 19a-17 are presented to said  
292 board shall be furnished with a copy of the complaint and shall have a  
293 hearing before said board. The hearing shall be conducted in  
294 accordance with the regulations established by the Commissioner of  
295 Public Health. Said board may, at any time within two years of such  
296 action, by a majority vote, rescind such action. The Commissioner of  
297 Public Health may order a license holder to submit to a reasonable  
298 physical or mental examination if his physical or mental capacity to  
299 practice safely is the subject of an investigation. Said commissioner  
300 may petition the superior court for the judicial district of Hartford to  
301 enforce such order or any action taken pursuant to section 19a-17.

302 Sec. 11. Section 20-40 of the general statutes is repealed and the

303 following is substituted in lieu thereof (*Effective October 1, 2013*):

304 Said department may refuse to grant a license to practice  
305 natureopathy or may take any of the actions set forth in section 19a-17  
306 for failure to conform to the accepted standards of the profession that  
307 includes, but is not limited to, any of the following: [reasons:] The  
308 employment of fraud or material deception in obtaining a license,  
309 habitual intemperance in the use of ardent spirits, narcotics or  
310 stimulants to such an extent as to incapacitate the user for the  
311 performance of professional duties, violations of the provisions of this  
312 chapter or regulations adopted hereunder, engaging in fraud or  
313 material deception in the course of professional services or activities,  
314 physical or mental illness, emotional disorder or loss of motor skill,  
315 including, but not limited to, deterioration through the aging process,  
316 illegal, incompetent or negligent conduct in his practice, failure to  
317 maintain professional liability insurance or other indemnity against  
318 liability for professional malpractice as provided in subsection (a) of  
319 section 20-39a, or failure to provide information to the Department of  
320 Public Health required to complete a health care provider profile, as  
321 set forth in section 20-13j. Any applicant for a license to practice  
322 natureopathy or any practitioner against whom any of the foregoing  
323 grounds for refusing a license or action under said section 19a-17 are  
324 presented to said board shall be furnished with a copy of the  
325 complaint and shall have a hearing before said board in accordance  
326 with the regulations adopted by the Commissioner of Public Health.  
327 The Commissioner of Public Health may order a license holder to  
328 submit to a reasonable physical or mental examination if his physical  
329 or mental capacity to practice safely is the subject of an investigation.  
330 Said commissioner may petition the superior court for the judicial  
331 district of Hartford to enforce such order or any action taken pursuant  
332 to section 19a-17.

333 Sec. 12. Section 20-45 of the general statutes is repealed and the  
334 following is substituted in lieu thereof (*Effective October 1, 2013*):

335 The license of any licensed practitioner of the healing arts in this  
336 state, except a physician as defined in section 20-13a, may be revoked,  
337 suspended or annulled, or such practitioner may be reprimanded or  
338 otherwise disciplined, after notice and hearing, on the  
339 recommendation of the examining board representing the branch of  
340 the healing arts practiced by such practitioner for any cause named  
341 below. Proceedings relative to the revocation, suspension or  
342 annulment of a license or toward disciplinary action may be begun by  
343 the filing of written charges, verified by affidavit, by the Commissioner  
344 of Public Health with the examining board representing the branch of  
345 the healing arts practiced by the practitioner. [The causes for which a]  
346 A license may be revoked, suspended or annulled or [for which] a  
347 practitioner may be reprimanded or otherwise disciplined [are as  
348 follows:] for failure to conform to the accepted standards of the  
349 profession that includes, but is not limited to: (1) Conviction in a court  
350 of competent jurisdiction, either within or without this state, of any  
351 crime in the practice of his profession; (2) fraudulent or deceptive  
352 conduct in the course of professional services or activities; (3) illegal,  
353 incompetent or negligent conduct in the practice of the healing arts; (4)  
354 habitual intemperance in the use of spirituous stimulants or addiction  
355 to the use of morphine, cocaine or other habit-forming drugs; (5)  
356 aiding or abetting the unlawful practice of any branch of the healing  
357 arts; (6) failure to record a license as required by law; (7) physical or  
358 mental illness, emotional disorder or loss of motor skill, including, but  
359 not limited to, deterioration through the aging process of the  
360 practitioner; (8) fraud or material deception in obtaining a license; or  
361 (9) violation of any applicable statute or regulation. The clerk of any  
362 court in this state in which a person practicing any profession under  
363 the jurisdiction of any of the examining boards for the healing arts has  
364 been convicted of any crime as described in this section shall,  
365 immediately after such conviction, transmit a certified copy, in  
366 duplicate, of the information and judgment, without charge, to the  
367 Department of Public Health, containing the name and address of the  
368 practitioner, the crime of which he was convicted and the date of

369 conviction. The Commissioner of Public Health may order a  
370 practitioner to submit to a reasonable physical or mental examination  
371 if his physical or mental capacity to practice safely is the subject of an  
372 investigation. Said commissioner may petition the superior court for  
373 the judicial district of Hartford to enforce such order or any action  
374 taken pursuant to section 19a-17.

375 Sec. 13. Section 20-59 of the general statutes is repealed and the  
376 following is substituted in lieu thereof (*Effective October 1, 2013*):

377 The board may take any of the actions set forth in section 19a-17 for  
378 failure to conform to the accepted standards of the profession that  
379 includes, but is not limited to, any of the following: [reasons:] (1)  
380 Procurement of a license by fraud or material deception; (2) conviction  
381 in a court of competent jurisdiction, either within or without this state,  
382 of any crime in the practice of podiatry; (3) fraudulent or deceptive  
383 conduct in the course of professional services or activities; (4) illegal or  
384 incompetent or negligent conduct in the practice of podiatry; (5)  
385 habitual intemperance in the use of spirituous stimulants or addiction  
386 to the use of morphine, cocaine or other drugs having a similar effect;  
387 (6) aiding and abetting the practice of podiatry by an unlicensed  
388 person or a person whose license has been suspended or revoked; (7)  
389 mental illness or deficiency of the practitioner; (8) physical illness or  
390 loss of motor skill, including, but not limited to, deterioration through  
391 the aging process, of the practitioner; (9) undertaking or engaging in  
392 any medical practice beyond the privileges and rights accorded to the  
393 practitioner of podiatry by the provisions of this chapter; (10) failure to  
394 maintain professional liability insurance or other indemnity against  
395 liability for professional malpractice as provided in subsection (a) of  
396 section 20-58a; (11) independently engaging in the performance of  
397 ankle surgery procedures without a permit, in violation of section 20-  
398 54; (12) violation of any provision of this chapter or any regulation  
399 adopted hereunder; or (13) failure to provide information to the  
400 Department of Public Health required to complete a health care  
401 provider profile, as set forth in section 20-13j. The Commissioner of

402 Public Health may order a license holder to submit to a reasonable  
403 physical or mental examination if his physical or mental capacity to  
404 practice safely is the subject of an investigation. Said commissioner  
405 may petition the superior court for the judicial district of Hartford to  
406 enforce such order or any action taken pursuant to section 19a-17. The  
407 clerk of any court in this state in which a person practicing podiatry  
408 has been convicted of any crime shall, upon such conviction, make  
409 written report, in duplicate, to the Department of Public Health of the  
410 name and residence of such person, the crime of which such person  
411 was convicted and the date of conviction; and said department shall  
412 forward one of such duplicate reports to the board.

413 Sec. 14. Subsection (a) of section 20-73a of the general statutes is  
414 repealed and the following is substituted in lieu thereof (*Effective*  
415 *October 1, 2013*):

416 (a) The Board of Examiners for Physical Therapists shall have  
417 jurisdiction to hear all charges of conduct that fails to conform to the  
418 accepted standards of the practice of physical therapy brought against  
419 any person licensed as a physical therapist or physical therapist  
420 assistant and, after holding a hearing, written notice of which shall be  
421 given to the person complained of, the board, if it finds such person to  
422 be guilty, may revoke or suspend such person's license or take any of  
423 the actions set forth in section 19a-17. Any proceedings relative to such  
424 action may be begun by the filing of written charges with the  
425 Commissioner of Public Health. [The causes for which such action may  
426 be taken are as follows] Conduct that fails to conform to the accepted  
427 standards of the practice of physical therapy includes, but is not  
428 limited to: (1) Conviction in a court of competent jurisdiction, either  
429 within or without this state, of any crime in the practice of such  
430 person's profession; (2) illegal, incompetent or negligent conduct in the  
431 practice of physical therapy or in the supervision of a physical  
432 therapist assistant; (3) aiding or abetting the unlawful practice of  
433 physical therapy; (4) treating human ailments by physical therapy  
434 without the oral or written referral by a person licensed in this state or

435 in a state having licensing requirements meeting the approval of the  
436 appropriate examining board in this state to practice medicine and  
437 surgery, podiatry, natureopathy, chiropractic or dentistry if such  
438 referral is required pursuant to section 20-73; (5) failure to register with  
439 the Department of Public Health as required by law; (6) fraud or  
440 deception in obtaining a license; (7) engaging in fraud or material  
441 deception in the course of professional services or activities; (8) failure  
442 to comply with the continuing education requirements of section 20-  
443 73b; (9) violation of any provision of this chapter, or any regulation  
444 adopted under this chapter; or (10) failure to provide information to  
445 the Department of Public Health required to complete a health care  
446 provider profile, as set forth in section 20-13j.

447 Sec. 15. Section 20-74g of the general statutes is repealed and the  
448 following is substituted in lieu thereof (*Effective October 1, 2013*):

449 The commissioner may refuse to renew, suspend or revoke a  
450 license, or may impose probationary conditions, where the licensee or  
451 applicant for a license has been guilty of unprofessional conduct  
452 [which] that has endangered or is likely to endanger the health,  
453 welfare or safety of the public. Such unprofessional conduct shall  
454 include, [:] but not be limited to: (1) Obtaining a license by means of  
455 fraud, misrepresentation or concealment of material facts; (2) being  
456 guilty of unprofessional conduct as defined by the rules established by  
457 the commissioner, or violating the code of ethics adopted and  
458 published by the commissioner; or (3) being convicted of a crime other  
459 than minor offenses defined as "infractions", "violations", or "offenses"  
460 in any court if, in accordance with the provisions of section 46a-80, the  
461 acts for which the applicant or licensee was convicted are found by the  
462 commissioner to have a direct bearing on whether he should be  
463 entrusted to serve the public in the capacity of an occupational  
464 therapist or occupational therapy assistant. The clerk of any court in  
465 this state in which a person practicing occupational therapy has been  
466 convicted of any crime as described in this section shall, immediately  
467 after such conviction, transmit a certified copy, in duplicate, of the

468 information and judgment, without charge, to the department  
469 containing the name and address of the occupational therapist, the  
470 crime of which he has been convicted and the date of conviction. The  
471 hearing on such charges shall be conducted in accordance with  
472 regulations adopted by the commissioner pursuant to section 20-74i. If  
473 any registration is revoked or suspended, notification of such action  
474 shall be sent to the department. Any person aggrieved by a final  
475 decision of the commissioner may appeal therefrom in accordance  
476 with the provisions of section 4-183. Such appeal shall have precedence  
477 over nonprivileged cases in respect to order of trial. The Attorney  
478 General shall act as attorney in the public interest in defending against  
479 such an appeal. One year from the date of the revocation of a license,  
480 application for reinstatement may be made to the commissioner. The  
481 commissioner may accept or reject an application for reinstatement  
482 and may, but shall not be required to, hold a hearing to consider such  
483 reinstatement.

484 Sec. 16. Subsection (a) of section 20-114 of the general statutes is  
485 repealed and the following is substituted in lieu thereof (*Effective*  
486 *October 1, 2013*):

487 (a) The Dental Commission may take any of the actions set forth in  
488 section 19a-17 for failure to conform to the accepted standards of the  
489 profession that includes, but is not limited to, any of the following:  
490 [causes:] (1) The presentation to the department of any diploma,  
491 license or certificate illegally or fraudulently obtained, or obtained  
492 from an institution that is not reputable or from an unrecognized or  
493 irregular institution or state board, or obtained by the practice of any  
494 fraud or deception; (2) proof that a practitioner has become unfit or  
495 incompetent or has been guilty of cruelty, incompetence, negligence or  
496 indecent conduct toward patients; (3) conviction of the violation of any  
497 of the provisions of this chapter by any court of criminal jurisdiction,  
498 provided no action shall be taken under section 19a-17 because of such  
499 conviction if any appeal to a higher court has been filed until the  
500 appeal has been determined by the higher court and the conviction



501 sustained; (4) the employment of any unlicensed person for other than  
502 mechanical purposes in the practice of dental medicine or dental  
503 surgery subject to the provisions of section 20-122a; (5) the violation of  
504 any of the provisions of this chapter or of the regulations adopted  
505 hereunder or the refusal to comply with any of said provisions or  
506 regulations; (6) the aiding or abetting in the practice of dentistry,  
507 dental medicine or dental hygiene of a person not licensed to practice  
508 dentistry, dental medicine or dental hygiene in this state; (7)  
509 designating a limited practice, except as provided in section 20-106a;  
510 (8) engaging in fraud or material deception in the course of  
511 professional activities; (9) the effects of physical or mental illness,  
512 emotional disorder or loss of motor skill, including, but not limited to,  
513 deterioration through the aging process, upon the license holder; (10)  
514 abuse or excessive use of drugs, including alcohol, narcotics or  
515 chemicals; (11) failure to comply with the continuing education  
516 requirements set forth in section 20-126c; (12) failure of a holder of a  
517 dental anesthesia or conscious sedation permit to successfully  
518 complete an on-site evaluation conducted pursuant to subsection (c) of  
519 section 20-123b; (13) failure to provide information to the Department  
520 of Public Health required to complete a health care provider profile, as  
521 set forth in section 20-13j; or (14) failure to maintain professional  
522 liability insurance or other indemnity against liability for professional  
523 malpractice as provided in section 20-126d. A violation of any of the  
524 provisions of this chapter by any unlicensed employee in the practice  
525 of dentistry or dental hygiene, with the knowledge of the employer,  
526 shall be deemed a violation by the employer. The Commissioner of  
527 Public Health may order a license holder to submit to a reasonable  
528 physical or mental examination if his or her physical or mental  
529 capacity to practice safely is the subject of an investigation. Said  
530 commissioner may petition the superior court for the judicial district of  
531 Hartford to enforce such order or any action taken pursuant to section  
532 19a-17.

533 Sec. 17. Subsection (a) of section 20-126o of the general statutes is

534 repealed and the following is substituted in lieu thereof (*Effective*  
535 *October 1, 2013*):

536 (a) The Department of Public Health may take any of the actions set  
537 forth in section 19a-17 for failure to conform to the accepted standards  
538 of the profession that includes, but is not limited to, any of the  
539 following: [causes:] (1) The presentation to the department of any  
540 diploma, license or certificate illegally or fraudulently obtained, or  
541 obtained from an institution that is not accredited or from an  
542 unrecognized or irregular institution or state board, or obtained by the  
543 practice of any fraud or deception; (2) illegal conduct; (3) negligent,  
544 incompetent or wrongful conduct in professional activities; (4)  
545 conviction of the violation of any of the provisions of sections 20-126h  
546 to 20-126w, inclusive, by any court of criminal jurisdiction; (5) the  
547 violation of any of the provisions of said sections or of the regulations  
548 adopted hereunder or the refusal to comply with any of said  
549 provisions or regulations; (6) the aiding or abetting in the practice of  
550 dental hygiene of a person not licensed to practice dental hygiene in  
551 this state; (7) engaging in fraud or material deception in the course of  
552 professional activities; (8) the effects of physical or mental illness,  
553 emotional disorder or loss of motor skill, including, but not limited to,  
554 deterioration through the aging process, upon the license holder; (9)  
555 abuse or excessive use of drugs, including alcohol, narcotics or  
556 chemicals; or (10) failure to provide information to the Department of  
557 Public Health required to complete a health care provider profile, as  
558 set forth in section 20-13j. A violation of any of the provisions of  
559 sections 20-126h to 20-126w, inclusive, by any unlicensed employee in  
560 the practice of dental hygiene, with the knowledge of his employer,  
561 shall be deemed a violation thereof by his employer. The  
562 Commissioner of Public Health may order a license holder to submit to  
563 a reasonable physical or mental examination if his physical or mental  
564 capacity to practice safely is the subject of an investigation. Said  
565 commissioner may petition the superior court for the judicial district of  
566 Hartford to enforce such order or any action taken pursuant to said

567 section 19a-17.

568 Sec. 18. Section 20-133 of the general statutes is repealed and the  
569 following is substituted in lieu thereof (*Effective October 1, 2013*):

570 The board may take any of the actions set forth in section 19a-17  
571 after notice and hearing, for failure to conform to the accepted  
572 standards of the profession that may include, but not be limited to, any  
573 of the following: [reasons:] (1) Conviction in a court of competent  
574 jurisdiction, either within or without this state, of any crime in the  
575 practice of optometry; (2) illegal or incompetent or negligent conduct  
576 in the practice of optometry; (3) publication or circulation of any  
577 fraudulent or misleading statement; (4) aiding or abetting the practice  
578 of optometry by an unlicensed person or a person whose license has  
579 been suspended or revoked; (5) presentation to the department of any  
580 diploma, license or certificate illegally or fraudulently obtained, or  
581 from an unrecognized or irregular institution or state board, or  
582 obtained by the practice of any fraud or deception; (6) violation of any  
583 provision of this chapter or any regulation adopted hereunder; (7) the  
584 effects of physical or mental illness, emotional disorder or loss of  
585 motor skill, including, but not limited to, deterioration through the  
586 aging process, upon the practitioner; (8) abuse or excessive use of  
587 drugs, including alcohol, narcotics or chemicals; (9) failure to maintain  
588 professional liability insurance or other indemnity against liability for  
589 professional malpractice as required by section 20-133b; or (10) failure  
590 to provide information to the Department of Public Health required to  
591 complete a health care provider profile, as set forth in section 20-13j.  
592 The Commissioner of Public Health may order a license holder to  
593 submit to a reasonable physical or mental examination if his physical  
594 or mental capacity to practice safely is the subject of an investigation.  
595 Said commissioner may petition the superior court for the judicial  
596 district of Hartford to enforce such order or any action taken pursuant  
597 to section 19a-17. The license of any optometrist who peddles optical  
598 goods, or solicits orders therefor, from door to door, or who establishes  
599 a temporary office, may be revoked, and said department may refuse

600 to renew such license. The license of any optometrist who employs  
601 solicitors or obtains money by fraud or misrepresentation in  
602 connection with the conduct of the profession of optometry shall be  
603 revoked, and said department shall not renew such license. The  
604 violation of any of the provisions of this chapter by any unlicensed  
605 employee in the employ of an optometrist, with the knowledge of his  
606 employer, shall be deemed to be a violation thereof by his employer;  
607 and continued violation by such an unlicensed employee shall be  
608 deemed prima facie knowledge on the part of such employer. Nothing  
609 herein contained shall be construed as prohibiting the conducting of  
610 clinics or visual surveys when they are conducted without profit.

611       Sec. 19. Section 20-154 of the general statutes is repealed and the  
612 following is substituted in lieu thereof (*Effective October 1, 2013*):

613       The Commissioner of Public Health, with advice and assistance  
614 from said board, may make regulations concerning the licensing of any  
615 optician, the granting of any permit to any optical department or the  
616 certification of any licensed optician, and the suspension or revocation  
617 of any such license or permit, or with reference to the conduct of any  
618 such licensee or permittee and the manner in which any such licensed  
619 optical department is conducted. Any license to practice as a licensed  
620 optician or to conduct any optical department may be suspended or  
621 revoked or reissued by said board. The certificate of registration,  
622 permit or license of any optician or of any optical permittee may be  
623 revoked, suspended or annulled or any action taken under section 19a-  
624 17 upon decision after notice and hearing by the board for failure to  
625 conform to the accepted standards of the profession that includes, but  
626 is not limited to, any of the following: [reasons:] Fraudulent, dishonest,  
627 illegal or incompetent or negligent conduct of his business as such  
628 licensee or permittee; aiding or abetting any unlicensed person whose  
629 license has been suspended or revoked, or any optical permittee whose  
630 permit has been suspended or revoked in the conduct of an optician's  
631 establishment, office or store; violation of any provision of this chapter  
632 or any regulation adopted hereunder; presentation to the department

633 of any diploma, license or certificate, irregularly or fraudulently  
634 obtained or from any unrecognized or irregular college or state  
635 commission, or obtained by the practice of any fraud or deception;  
636 physical or mental illness, emotional disorder or loss of motor skill,  
637 including but not limited to, deterioration through the aging process;  
638 abuse or excessive use of drugs, including alcohol, narcotics or  
639 chemicals. The Commissioner of Public Health may order a license  
640 holder to submit to a reasonable physical or mental examination if his  
641 physical or mental capacity to practice safely is the subject of an  
642 investigation. Said commissioner may petition the superior court for  
643 the judicial district of Hartford to enforce such order or any action  
644 taken pursuant to section 19a-17. The violation of any of the provisions  
645 of this chapter by any unlicensed employee in the employ of any of its  
646 licensees or permittees, with the knowledge of his employer, shall be  
647 deemed to be a violation thereof by his employer; and continued  
648 violation thereof by such an unlicensed employee shall be deemed to  
649 be, prima facie, with the knowledge of such employer.

650 Sec. 20. Section 20-192 of the general statutes is repealed and the  
651 following is substituted in lieu thereof (*Effective October 1, 2013*):

652 The board may take any action set forth in section 19a-17 [ if the  
653 license holder: Has been convicted] for failure to conform to the  
654 accepted standards of the profession that includes, but is not limited  
655 to: (1) Conviction of a felony; [has been found by the board to have] (2)  
656 a finding by the board that the license-holder employed fraud or deceit  
657 in obtaining his or her license or, in the course of any professional  
658 activity, [to have] violated any provision of this chapter or any  
659 regulation adopted hereunder or [to have] acted negligently,  
660 incompetently or wrongfully in the conduct of [his] the profession;  
661 [practiced] (3) practicing in an area of psychology for which [he] the  
662 license holder is not qualified; (4) the license holder is suffering from  
663 physical or mental illness, emotional disorder or loss of motor skill,  
664 including but not limited to, deterioration through the aging process or  
665 is suffering from the abuse or excessive use of drugs, including

666 alcohol, narcotics or chemicals. The Commissioner of Public Health  
667 may order a license holder to submit to a reasonable physical or  
668 mental examination if his physical or mental capacity to practice safely  
669 is the subject of an investigation. Said commissioner may petition the  
670 superior court for the judicial district of Hartford to enforce such order  
671 or any action taken pursuant to section 19a-17. Notice of any  
672 contemplated action under [said] section 19a-17, of the cause therefor  
673 and the date of hearing thereon shall be given and an opportunity for  
674 hearing afforded as provided in the regulations adopted by the  
675 Commissioner of Public Health. The Attorney General shall, upon  
676 request, furnish legal assistance to the board. Any person aggrieved by  
677 any action of the board may appeal therefrom as provided in section 4-  
678 183, except such appeal shall be made returnable to the judicial district  
679 where he resides. Such appeal shall have precedence over  
680 nonprivileged cases in respect to order of trial.

681 Sec. 21. Section 20-195d of the general statutes is repealed and the  
682 following is substituted in lieu thereof (*Effective October 1, 2013*):

683 The department is authorized to conduct investigations and take  
684 disciplinary actions as set forth in section 19a-17 for failure to conform  
685 to the accepted standards of the profession that includes, but is not  
686 limited to, any of the following: [reasons:] (1) Fraud or material  
687 deception in procuring or attempting to procure licensure; (2) illegal  
688 conduct, incompetence or negligence in carrying out professional  
689 functions; (3) any occupationally disabling emotional disorder or  
690 mental illness; (4) physical illness including, but not limited to,  
691 deterioration through the aging process; (5) abuse or excessive use of  
692 drugs, including alcohol, narcotics or chemicals; (6) fraud or material  
693 deception in the course of professional activities; (7) wilful and  
694 significant falsification of entries in any hospital, patient or other  
695 record; and (8) violation of any provision of this chapter, any  
696 regulation adopted pursuant to this chapter, or any provisions of  
697 subdivision (6) of subsection (a) of section 19a-14, as amended by this  
698 act. The commissioner may order a license holder to submit to a

699 reasonable physical or mental examination if [his] the license holder's  
700 physical or mental capacity to practice safely is the subject of an  
701 investigation. The commissioner may petition the superior court for  
702 the judicial district of Hartford to enforce such order or any action  
703 taken pursuant to section 19a-17.

704 Sec. 22. Section 20-202 of the general statutes is repealed and the  
705 following is substituted in lieu thereof (*Effective October 1, 2013*):

706 After notice and opportunity for hearing as provided in the  
707 regulations established by the Commissioner of Public Health, said  
708 board may take any of the actions set forth in section 19a-17 for failure  
709 to conform to the accepted standards of the profession that includes,  
710 but is not limited to, any of the following: [causes:] (1) The  
711 presentation to the board of any diploma, license or certificate illegally  
712 or fraudulently obtained; (2) proof that the holder of such license or  
713 certificate has become unfit or incompetent or has been guilty of  
714 cruelty, unskillfulness or negligence towards animals and birds; (3)  
715 conviction of the violation of any of the provisions of this chapter by  
716 any court of criminal jurisdiction, provided no license or registration  
717 shall be revoked or suspended because of such conviction if an appeal  
718 to a higher court has been filed until such appeal has been determined  
719 by the higher court and the conviction sustained; (4) the violation of  
720 any of the provisions of this chapter or the refusal to comply with any  
721 of said provisions; (5) the publication or circulation of any statement of  
722 a character tending to deceive or mislead the public; (6) the supplying  
723 of drugs, biologics, instruments or any substances or devices by which  
724 unqualified persons may practice veterinary medicine, surgery and  
725 dentistry, except that such drugs, biologics, instruments, substances or  
726 devices may be supplied to a farmer for his own animals or birds; (7)  
727 fraudulent issue or use of any health certificate, vaccination certificate,  
728 test chart or other blank form used in the practice of veterinary  
729 medicine relating to the dissemination of animal disease,  
730 transportation of diseased animals or the sale of inedible products of  
731 animal origin for human consumption; (8) knowingly having

732 professional association with, or knowingly employing any person  
733 who is unlawfully practicing veterinary medicine; (9) failure to keep  
734 veterinary premises and equipment in a clean and sanitary condition;  
735 (10) physical or mental illness, emotional disorder or loss of motor  
736 skill, including but not limited to, deterioration through the aging  
737 process; (11) abuse or excessive use of drugs, including alcohol,  
738 narcotics or chemicals; or (12) failure to comply with the continuing  
739 education requirements prescribed in section 20-201a. A violation of  
740 any of the provisions of this chapter by any unlicensed employee in  
741 the practice of veterinary medicine, with the knowledge of his  
742 employer, shall be deemed a violation thereof by his employer. The  
743 Commissioner of Public Health may order a license holder to submit to  
744 a reasonable physical or mental examination if his physical or mental  
745 capacity to practice safely is the subject of an investigation. Said  
746 commissioner may petition the superior court for the judicial district of  
747 Hartford to enforce such order or any action taken pursuant to section  
748 19a-17.

749 Sec. 23. Section 20-227 of the general statutes is repealed and the  
750 following is substituted in lieu thereof (*Effective October 1, 2013*):

751 The Department of Public Health may refuse to grant a license or  
752 inspection certificate or the board may take any of the actions set forth  
753 in section 19a-17 against a licensee, registrant or holder of an  
754 inspection certificate [if it finds the existence of] for failure to conform  
755 to the accepted standards of the profession that includes, but is not  
756 limited to, any of the following: [grounds:] (1) The practice of any  
757 fraud or deceit in obtaining or attempting to obtain a license,  
758 registration or inspection certificate; (2) violation of the statutes or  
759 regulations of said department relative to the business of embalming  
760 or funeral directing in this state; (3) the conviction of a crime in the  
761 course of professional activities; (4) incompetency, negligence or  
762 misconduct in the carrying on of such business or profession; (5)  
763 violation of or noncompliance with the provisions of this chapter or  
764 the rules established hereunder; (6) loaning, borrowing or using a



765 license or inspection certificate of another, or knowingly aiding or  
766 abetting in any way the granting of an improper license or inspection  
767 certificate; (7) aiding or abetting the practice of embalming or funeral  
768 directing by an unlicensed person; (8) physical or mental illness,  
769 emotional disorder or loss of motor skill, including but not limited to,  
770 deterioration through the aging process; or (9) abuse or excessive use  
771 of drugs, including alcohol, narcotics or chemicals. The Commissioner  
772 of Public Health may order a license holder to submit to a reasonable  
773 physical or mental examination if [his] the license holder's physical or  
774 mental capacity to practice safely is the subject of an investigation. Said  
775 commissioner may petition the superior court for the judicial district of  
776 Hartford to enforce such order of any action taken pursuant to section  
777 19a-17. The Department of Public Health shall not refuse to renew any  
778 license or inspection certificate nor shall the board suspend any such  
779 license, registration or inspection certificate until the holder thereof has  
780 been given notice and opportunity for hearing in accordance with the  
781 regulations adopted by the Commissioner of Public Health. Any  
782 person aggrieved by the action of said department in refusing to renew  
783 a license or inspection certificate or by the action of said board in  
784 suspending or revoking any license, registration or inspection  
785 certificate under the provisions of this chapter or action taken under  
786 section 19a-17 may appeal therefrom in accordance with the provisions  
787 of section 4-183. No person whose license, registration or inspection  
788 certificate is suspended or revoked shall, during such suspension or  
789 revocation, enter or engage, either personally or through any  
790 corporation, partnership or other organization, or through any agent,  
791 in any of the activities which such license, registration or inspection  
792 certificate entitled him to engage in; nor shall any such person receive  
793 any money or any other valuable consideration on account of engaging  
794 in any of such activities. No person shall pay, promise, offer or give to  
795 anyone whose license, registration or inspection certificate is  
796 suspended or revoked any money or other valuable consideration for  
797 engaging in any of the activities which such license, registration or  
798 inspection certificate entitled [him] such person to engage in.

799       Sec. 24. Subsection (a) of section 20-238 of the general statutes is  
800 repealed and the following is substituted in lieu thereof (*Effective*  
801 *October 1, 2013*):

802       (a) No person shall practice the occupation of master barber in this  
803 state unless [he] such person has first obtained a license as provided in  
804 section 20-236. Said department shall furnish to each person to whom a  
805 license is issued a card certifying that the holder thereof is entitled to  
806 practice the occupation of master barber in this state, and the holder of  
807 such card shall post the same in a conspicuous place in front of his or  
808 her working chair, where it may readily be seen by all persons whom  
809 [he] the holder may serve. Said department shall keep a register in  
810 which shall be entered the names of all persons to whom such licenses  
811 are issued, and said register shall be at all times open to public  
812 inspection. The board may suspend or revoke any license or certificate  
813 granted by it or take any of the actions set forth in section 19a-17 [if  
814 the] for failure to conform to the accepted standards of the profession  
815 that includes, but is not limited to, any of the following: The holder of  
816 a license is incompetent, is habitually intoxicated or habitually  
817 addicted to the use of morphine, cocaine, or other habit-forming drugs,  
818 or is a violator of any provision of this chapter or of the regulations  
819 adopted pursuant thereto or is suffering from physical or mental  
820 illness or emotional disorder or loss of motor skill including but not  
821 limited to, deterioration through the aging process. Before any license  
822 is suspended or revoked or action taken under section 19a-17, such  
823 holder shall be given notice and afforded opportunity for hearing as  
824 provided in the regulations adopted by the Commissioner of Public  
825 Health. The Commissioner of Public Health may order a certificate or  
826 license holder to submit to a reasonable physical or mental  
827 examination if [his] the holder's physical or mental capacity to practice  
828 safely is the subject of an investigation. Said commissioner may  
829 petition the superior court for the judicial district of Hartford to  
830 enforce such order or any action taken pursuant to section 19a-17.

831       Sec. 25. Section 20-263 of the general statutes is repealed and the

832 following is substituted in lieu thereof (*Effective October 1, 2013*):

833       The commissioner or a representative designated by the  
834 commissioner may investigate any alleged violation of the provisions  
835 of this chapter and, if there appears to be reasonable cause therefor, on  
836 reasonable notice to any person accused of any such violation, may  
837 refer the matter to the board for hearing; may make complaint to the  
838 prosecuting authority having jurisdiction of any such complaint or  
839 may examine into all acts of alleged abuse, fraud, or incompetence.  
840 The board may suspend the license of any registered hairdresser and  
841 cosmetician, and may revoke the hairdresser and cosmetician license of  
842 any person convicted of violating any provision of this chapter or any  
843 regulation adopted under this chapter or take any of the actions set  
844 forth in section 19a-17 for failure to conform to the accepted standards  
845 of the profession that includes, but is not limited to, any of the  
846 following: [reasons:] (1) The employment of fraud or deception in  
847 obtaining a license; (2) abuse or excessive use of drugs, including  
848 alcohol, narcotics or chemicals; (3) engaging in fraud or material  
849 deception in the course of professional services or activities; (4)  
850 physical or mental illness, emotional disorder or loss of motor skill,  
851 including, but not limited to, deterioration through the aging process;  
852 or (5) illegal, incompetent or negligent conduct in the course of  
853 professional activities. The commissioner may order a license holder to  
854 submit to a reasonable physical or mental examination if the physical  
855 or mental capacity of the license holder to practice safely is the subject  
856 of an investigation. The commissioner may petition the superior court  
857 for the judicial district of Hartford to enforce such order or any action  
858 taken pursuant to section 19a-17. No license issued pursuant to this  
859 chapter shall be revoked or suspended under this section until the  
860 licensee has been given notice and opportunity for hearing as provided  
861 in the regulations adopted by the commissioner.

862       Sec. 26. Section 20-271 of the general statutes is repealed and the  
863 following is substituted in lieu thereof (*Effective October 1, 2013*):

864 The license of any electrologist in this state may be revoked or  
865 suspended by the board, or such electrologist may be the subject of any  
866 action set forth in section 19a-17, after notice and hearing, on the  
867 recommendation of the board for [any cause set forth in this section.  
868 Proceedings relative to the revocation or suspension of a license or  
869 such action may be begun by the filing of written charges, verified by  
870 affidavit, with the department. The causes for which a license may be  
871 revoked or suspended or for which a practitioner may be the subject of  
872 any action set forth in section 19a-17 include] failure to conform to the  
873 accepted standards of the profession that includes, but is not limited  
874 to: (1) Conviction, either within or without this state, of any crime in  
875 the practice of the practitioner's profession; (2) fraudulent or deceptive  
876 conduct in the course of professional services or activities or illegal,  
877 incompetent or negligent conduct, in the practitioner's practice; (3)  
878 habitual intemperance in the use of alcoholic liquor or addiction to the  
879 use of narcotics or other habit-forming drugs; (4) violation of any  
880 provision of this chapter or of any regulation adopted under this  
881 chapter; (5) aiding or abetting the unlawful practice of electrology; (6)  
882 physical or mental illness or emotional disorder or loss of motor skill  
883 of the practitioner, including, but not limited to, deterioration through  
884 the aging process; (7) fraud or material deception in obtaining a  
885 license; or (8) splitting of fees or offering of commissions or gifts.  
886 Proceedings relative to the revocation or suspension of a license or  
887 other action set forth in section 19a-17 may be begun by the filing of  
888 written charges, verified by affidavit, with the Department of Public  
889 Health. The Commissioner of Public Health may order a licensee to  
890 submit to a reasonable physical or mental examination if the physical  
891 or mental capacity of the licensee to practice safely is the subject of an  
892 investigation. The commissioner may petition the superior court for  
893 the judicial district of Hartford to enforce such order or any action  
894 taken pursuant to section 19a-17.

895 Sec. 27. Subsection (b) of section 19a-522f of the general statutes is  
896 repealed and the following is substituted in lieu thereof (*Effective*

897     October 1, 2013):

898         (b) An IV therapy nurse or a physician assistant licensed pursuant  
899         to section 20-12b, who is employed by, or operating under a contract to  
900         provide services in, a chronic and convalescent nursing home or a rest  
901         home with nursing supervision that operates an IV therapy program  
902         may administer a peripherally inserted central catheter as part of such  
903         facility's IV therapy program. The Department of Public Health shall  
904         adopt regulations in accordance with the provisions of chapter 54 to  
905         carry out the purposes of this section.

906         Sec. 28. Subdivision (1) of subsection (c) of section 19a-750 of the  
907         general statutes is repealed and the following is substituted in lieu  
908         thereof (*Effective October 1, 2013*):

909         (c) (1) The Health Information Technology Exchange of Connecticut  
910         shall be managed by a board of directors. The board shall consist of the  
911         following members: The Lieutenant Governor, or his or her designee;  
912         the Commissioners of Public Health, Social Services, Consumer  
913         Protection and Administrative Services, or their designees; three  
914         appointed by the Governor, one of whom shall be a representative of a  
915         medical research organization, one of whom shall be an insurer or  
916         representative of a health plan and one of whom shall be an attorney  
917         with background and experience in the field of privacy, health data  
918         security or patient rights; three appointed by the president pro  
919         tempore of the Senate, one of whom shall have background and  
920         experience with a private sector health information exchange or health  
921         information technology entity, one of whom shall have expertise in  
922         public health and one of whom shall be a physician licensed under  
923         chapter 370 who works in a practice of not more than ten physicians  
924         and who is not employed by a hospital, health network, health plan,  
925         health system, academic institution or university; three appointed by  
926         the speaker of the House of Representatives, one of whom shall be a  
927         representative of hospitals, an integrated delivery network or a  
928         hospital association, one of whom shall have expertise with federally

929 qualified health centers and one of whom shall be a consumer or  
930 consumer advocate; one appointed by the majority leader of the  
931 Senate, who shall be a primary care physician whose practice utilizes  
932 electronic health records; one appointed by the majority leader of the  
933 House of Representatives, who shall be a consumer or consumer  
934 advocate; one appointed by the minority leader of the Senate, who  
935 shall be a pharmacist or a health care provider utilizing electronic  
936 health information exchange; and one appointed by the minority  
937 leader of the House of Representatives, who shall be a large employer  
938 or a representative of a business group. The Secretary of the Office of  
939 Policy and Management and the Healthcare Advocate, or their  
940 designees, shall be ex-officio, nonvoting members of the board. The  
941 [Commissioner of Public Health, or his or her designee, shall]  
942 Governor shall appoint a member to serve as the chairperson of the  
943 board.

944 Sec. 29. Subsection (b) of section 20-195o of the general statutes is  
945 repealed and the following is substituted in lieu thereof (*Effective*  
946 *October 1, 2013*):

947 (b) Notwithstanding the provisions of section 20-195n concerning  
948 examinations, on or before October 1, [2012] 2013, the commissioner  
949 may issue a license without examination, to any master social worker  
950 applicant who demonstrates to the satisfaction of the commissioner  
951 that, on or before October 1, 2010, he or she held a master's degree  
952 from a social work program accredited by the Council on Social Work  
953 Education or, if educated outside the United States or its territories,  
954 completed an educational program deemed equivalent by the council.

955 Sec. 30. Subsection (d) of section 20-12c of the general statutes is  
956 repealed and the following is substituted in lieu thereof (*Effective*  
957 *October 1, 2013*):

958 (d) Nothing in this chapter shall be construed to prohibit a licensed  
959 physician assistant who is (1) part of the Connecticut Disaster Medical

960 Assistance Team or the Medical Reserve Corps, under the auspices of  
961 the Department of Public Health, or the Connecticut Urban Search and  
962 Rescue Team, under the auspices of the Department of Emergency  
963 Services and Public Protection, and is engaged in officially authorized  
964 civil preparedness duty or civil preparedness training conducted by  
965 such team or corps, or (2) licensed in another state as a physician  
966 assistant or its equivalent and an active member of the Connecticut  
967 Army or Air National Guard, from providing patient services under  
968 the supervision, control, responsibility and direction of a licensed  
969 physician.

970 Sec. 31. Subsection (c) of section 20-128a of the general statutes is  
971 repealed and the following is substituted in lieu thereof (*Effective*  
972 *October 1, 2013*):

973 (c) The Commissioner of Public Health, with advice and assistance  
974 from the board, may make and enforce such regulations, in accordance  
975 with chapter 54, as the commissioner deems necessary to maintain  
976 proper professional and ethical standards, including, but not limited  
977 to, continuing education requirements, for optometrists. [The  
978 commissioner shall adopt regulations, in accordance with chapter 54,  
979 requiring each optometrist licensed pursuant to this chapter to  
980 complete a minimum of twenty hours of continuing education during  
981 each registration period, defined as the twelve-month period for which  
982 a license has been renewed pursuant to section 19a-88 and is current  
983 and valid. The board shall approve all continuing education courses.]  
984 The board may revoke or suspend licenses for cause.

985 Sec. 32. Section 20-132a of the general statutes is repealed and the  
986 following is substituted in lieu thereof (*Effective October 1, 2013*):

987 (a) For purposes of this section, "actively engaged in the practice of  
988 optometry" means the treatment of one or more patients by a licensee  
989 during any given registration period and "registration period" means  
990 the twelve-month period for which a license has been renewed in

991 accordance with section 19a-88.

992 (b) Licenses issued under this chapter shall be renewed annually in  
993 accordance with the provisions of section 19a-88.

994 (c) Except as provided in this section, a licensee who is actively  
995 engaged in the practice of optometry shall earn a minimum of twenty  
996 hours of continuing education each registration period. The subject  
997 matter for continuing education shall reflect the professional needs of  
998 the licensee in order to meet the health care needs of the public, and  
999 shall include (1) not less than six hours in any of the following areas:  
1000 Pathology, detection of diabetes and ocular treatment; and (2) not less  
1001 than six hours in treatment as it applies to the use of ocular agents-T.  
1002 Coursework shall be provided through direct, live instruction that the  
1003 licensee physically attends either individually or as part of a group of  
1004 participants or through a formal home study or distance learning  
1005 program. Not more than six hours shall be earned through a home  
1006 study or other distance learning program and not more than six hours  
1007 shall be in practice management. Qualifying continuing education  
1008 activities include, but are not limited to, courses offered or approved  
1009 by the Council on Optometric Practitioner Education of the  
1010 Association of Regulatory Boards of Optometry, the American  
1011 Optometric Association or state or local optometry associations and  
1012 societies that are affiliated with the American Optometric Association,  
1013 a hospital or other health care institution, a school or college of  
1014 optometry or other institution of higher education accredited or  
1015 recognized by the Council on Optometric Practitioner Education or the  
1016 American Optometric Association, a state or local health department,  
1017 or a national, state or local national medical association.

1018 (d) Each licensee applying for license renewal pursuant to section  
1019 19a-88, except a licensee applying for a license renewal for the first  
1020 time, shall sign a statement attesting that he or she has satisfied the  
1021 continuing education requirements described in subsection (c) of this  
1022 section on a form prescribed by the Department of Public Health. Each



1023 licensee shall retain records of attendance or certificates of completion  
1024 that demonstrate compliance with the continuing education  
1025 requirements described in subsection (c) of this section for not less  
1026 than three years following the date on which the continuing education  
1027 was completed or the license was renewed. Each licensee shall submit  
1028 such records to the department for inspection not later than forty-five  
1029 days after a request by the department for such records. A licensee  
1030 who fails to comply with the provisions of this subsection may be  
1031 subject to disciplinary action pursuant to section 20-133, as amended  
1032 by this act.

1033 (e) In individual cases involving medical disability or illness, the  
1034 Commissioner of Public Health may grant a waiver of the continuing  
1035 education requirements or an extension of time within which to fulfill  
1036 the requirements of this section to any licensee, provided the licensee  
1037 submits to the department an application for waiver or extension of  
1038 time on a form prescribed by the commissioner, along with a  
1039 certification by a licensed physician of the disability or illness and such  
1040 other documentation as may be required by the commissioner. The  
1041 commissioner may grant a waiver or extension for a period not to  
1042 exceed one registration period, except that the commissioner may  
1043 grant additional waivers or extensions if the medical disability or  
1044 illness upon which a waiver or extension is granted continues beyond  
1045 the period of the waiver or extension and the licensee applies for an  
1046 additional waiver or extension.

1047 (f) A licensee who is not actively engaged in the practice of  
1048 optometry, in any form, during a registration period shall be exempt  
1049 from the continuing education requirements, provided the licensee  
1050 submits a notarized application for exemption on a form prescribed by  
1051 the commissioner before the end of the registration period. A licensee  
1052 who is exempt under the provisions of this subsection may not engage  
1053 in the practice of optometry until the licensee has met the continuing  
1054 education requirements of this section.

1055        (g) A licensee whose license has become void pursuant to section  
1056        19a-88 and who applies to the department for reinstatement of such  
1057        license shall submit evidence of successful completion of twenty  
1058        contact hours of continuing education within the one-year period  
1059        immediately preceding application for reinstatement.

1060        Sec. 33. Subsection (g) of section 20-126*l* of the general statutes is  
1061        repealed and the following is substituted in lieu thereof (*Effective*  
1062        *October 1, 2013*):

1063        (g) [All licensed dental hygienists applying for license renewal shall  
1064        be required to participate in continuing education programs. The  
1065        commissioner shall adopt regulations in accordance with the  
1066        provisions of chapter 54 to: (1) Define basic requirements for  
1067        continuing education programs, (2) delineate qualifying programs, (3)  
1068        establish a system of control and reporting, and (4) provide for waiver  
1069        of the continuing education requirement by the commissioner for good  
1070        cause.] Each licensed dental hygienist applying for license renewal  
1071        shall earn a minimum of sixteen hours of continuing education within  
1072        the preceding twenty-four-month period. The subject matter for  
1073        continuing education shall reflect the professional needs of the licensee  
1074        in order to meet the health care needs of the public. Continuing  
1075        education activities shall provide significant theoretical or practical  
1076        content directly related to clinical or scientific aspects of dental  
1077        hygiene. Qualifying continuing education activities include, but are  
1078        not limited to, courses, including on-line courses, that are offered or  
1079        approved by dental schools and other institutions of higher education  
1080        that are accredited or recognized by the Council on Dental  
1081        Accreditation, a regional accrediting organization, the American  
1082        Dental Association, a state, district or local dental association or society  
1083        affiliated with the American Dental Association, the National Dental  
1084        Association, the American Dental Hygienists Association or a state,  
1085        district or local dental hygiene association or society affiliated with the  
1086        American Dental Hygienists Association, the Academy of General  
1087        Dentistry, the Academy of Dental Hygiene, the American Red Cross or

1088 the American Heart Association when sponsoring programs in  
1089 cardiopulmonary resuscitation or cardiac life support, the Veterans  
1090 Administration and Armed Forces when conducting programs at  
1091 United States governmental facilities, a hospital or other health care  
1092 institution, agencies or businesses whose programs are accredited or  
1093 recognized by the Council on Dental Accreditation, local, state or  
1094 national medical associations, or a state or local health department.  
1095 Eight hours of volunteer dental practice at a public health facility, as  
1096 defined in subsection (a) of this section, may be substituted for one  
1097 hour of continuing education, up to a maximum of five hours in one  
1098 two-year period. Activities that do not qualify toward meeting these  
1099 requirements include professional organizational business meeting,  
1100 speeches delivered at luncheons or banquets, and the reading of books,  
1101 articles, or professional journals. Not more than four hours of  
1102 continuing education may be earned through an on-line or other  
1103 distance learning program.

1104       Sec. 34. Section 20-126*l* of the general statutes is amended by adding  
1105 subsections (h) to (k), inclusive, as follows (*Effective October 1, 2013*):

1106       (NEW) (h) Each licensee applying for license renewal pursuant to  
1107 section 19a-88, except a licensee applying for a license renewal for the  
1108 first time, shall sign a statement attesting that he or she has satisfied  
1109 the continuing education requirements described in subsection (g) of  
1110 this section on a form prescribed by the department. Each licensee  
1111 shall retain records of attendance or certificates of completion that  
1112 demonstrate compliance with the continuing education requirements  
1113 described in subsection (g) of this section for not less than three years  
1114 following the date on which the continuing education was completed  
1115 or the license was renewed. Each licensee shall submit such records to  
1116 the department for inspection not later than forty-five days after a  
1117 request by the department for such records. A licensee who fails to  
1118 comply with the provisions of this section may be subject to  
1119 disciplinary action pursuant to section 20-126o, as amended by this act.

1120 (NEW) (i) In individual cases involving medical disability or illness,  
1121 the Commissioner of Public Health may grant a waiver of the  
1122 continuing education requirements or an extension of time within  
1123 which to fulfill the requirements of this subsection to any licensee,  
1124 provided the licensee submits to the Department of Public Health an  
1125 application for waiver or extension of time on a form prescribed by the  
1126 commissioner, along with a certification by a licensed physician of the  
1127 disability or illness and such other documentation as may be required  
1128 by the commissioner. The commissioner may grant a waiver or  
1129 extension for a period not to exceed one registration period, except the  
1130 commissioner may grant additional waivers or extensions if the  
1131 medical disability or illness upon which a waiver or extension is  
1132 granted continues beyond the period of the waiver or extension and  
1133 the licensee applies for an additional waiver or extension.

1134 (NEW) (j) A licensee who is not engaged in active professional  
1135 practice in any form during a registration period shall be exempt from  
1136 the continuing education requirements, provided the licensee submits  
1137 a notarized application for exemption on a form prescribed by the  
1138 commissioner prior to the end of the registration period. A licensee  
1139 who is exempt under the provisions of this subsection may not engage  
1140 in professional practice until the licensee has met the continuing  
1141 education requirements of this section.

1142 (NEW) (k) A licensee whose license has become void pursuant to  
1143 section 19a-88 and who applies to the department for reinstatement of  
1144 such license, shall: (1) For a license that has been void for two years or  
1145 less, submit evidence of completion of a minimum of twenty-four  
1146 contact hours of qualifying continued education during the two-year  
1147 period immediately preceding the application for reinstatement; or (2)  
1148 for a license that has been void for more than two years, submit  
1149 evidence of successful completion of the National Board Dental  
1150 Hygiene Examination or the North East Regional Board of Dental  
1151 Examiners Examination in Dental Hygiene during the year  
1152 immediately preceding the application.

1153       Sec. 35. Subsection (c) of section 20-12n of the general statutes is  
1154 repealed and the following is substituted in lieu thereof (*Effective*  
1155 *October 1, 2013*):

1156       (c) Applicants for licensure as a homeopathic physician shall, in  
1157 addition to [meeting the requirements of] holding a license as a  
1158 physician or surgeon issued in accordance with section 20-10, have  
1159 successfully completed not less than one hundred twenty hours of  
1160 post-graduate medical training in homeopathy offered by an  
1161 institution approved by [the Connecticut Homeopathic Medical  
1162 Examining Board or] the American Institute of Homeopathy [,] or one  
1163 hundred twenty hours of post-graduate medical training in  
1164 homeopathy under the direct supervision of a licensed homeopathic  
1165 physician, which shall consist of thirty hours of theory and ninety  
1166 hours of clinical practice. The [Connecticut Homeopathic Medical  
1167 Examining Board] Department of Public Health shall approve any  
1168 training completed under the direction of a licensed homeopathic  
1169 physician.

1170       Sec. 36. Subsection (c) of section 19a-14 of the general statutes is  
1171 repealed and the following is substituted in lieu thereof (*Effective*  
1172 *October 1, 2013*):

1173       (c) No board shall exist for the following professions that are  
1174 licensed or otherwise regulated by the Department of Public Health:

1175       (1) Speech and language pathologist and audiologist;

1176       (2) Hearing instrument specialist;

1177       (3) Nursing home administrator;

1178       (4) Sanitarian;

1179       (5) Subsurface sewage system installer or cleaner;

1180       (6) Marital and family therapist;

- 1181 (7) Nurse-midwife;
- 1182 (8) Licensed clinical social worker;
- 1183 (9) Respiratory care practitioner;
- 1184 (10) Asbestos contractor and asbestos consultant;
- 1185 (11) Massage therapist;
- 1186 (12) Registered nurse's aide;
- 1187 (13) Radiographer;
- 1188 (14) Dental hygienist;
- 1189 (15) Dietitian-Nutritionist;
- 1190 (16) Asbestos abatement worker;
- 1191 (17) Asbestos abatement site supervisor;
- 1192 (18) Licensed or certified alcohol and drug counselor;
- 1193 (19) Professional counselor;
- 1194 (20) Acupuncturist;
- 1195 (21) Occupational therapist and occupational therapist assistant;
- 1196 (22) Lead abatement contractor, lead consultant contractor, lead  
1197 consultant, lead abatement supervisor, lead abatement worker,  
1198 inspector and planner-project designer;
- 1199 (23) Emergency medical technician, advanced emergency medical  
1200 technician, emergency medical responder and emergency medical  
1201 services instructor;
- 1202 (24) Paramedic;

1203 (25) Athletic trainer;

1204 (26) Perfusionist;

1205 (27) Master social worker subject to the provisions of section 20-  
1206 195v; [and]

1207 (28) On and after July 1, 2011, a radiologist assistant, subject to the  
1208 provisions of section 20-74tt;

1209 (29) Homeopathic physicians; and

1210 (30) Certified water treatment plant operator, certified distribution  
1211 system operator, certified small water system operator, certified  
1212 backflow prevention device tester and certified cross connection  
1213 survey inspector, including certified limited operators, certified  
1214 conditional operators and certified operators in training.

1215 The department shall assume all powers and duties normally vested  
1216 with a board in administering regulatory jurisdiction over such  
1217 professions. The uniform provisions of this chapter and chapters 368v,  
1218 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a  
1219 and 400c, including, but not limited to, standards for entry and  
1220 renewal; grounds for professional discipline; receiving and processing  
1221 complaints; and disciplinary sanctions, shall apply, except as otherwise  
1222 provided by law, to the professions listed in this subsection.

1223 Sec. 37. Subsection (d) of section 20-74s of the general statutes is  
1224 repealed and the following is substituted in lieu thereof (*Effective*  
1225 *October 1, 2013*):

1226 (d) To be eligible for licensure as a licensed alcohol and drug  
1227 counselor, an applicant shall (1) have attained a master's degree from  
1228 an accredited institution of higher education and have completed a  
1229 minimum of eighteen graduate semester hours in counseling or  
1230 counseling-related subjects at an accredited institution of higher  
1231 education, except that applicants holding certified clinical supervisor

1232 status by the Connecticut Certification Board, Inc. as of October 1,  
1233 1998, may substitute such certification in lieu of the master's degree  
1234 requirement and graduate coursework requirement, and (2) have  
1235 completed the certification eligibility requirements described in  
1236 [subdivisions (1), (2) and (4) of] subsection (e) of this section.

1237 Sec. 38. Subsection (b) of section 2c-2h of the general statutes is  
1238 repealed and the following is substituted in lieu thereof (*Effective*  
1239 *October 1, 2013*):

1240 (b) Not later than July 1, 2015, and not later than every ten years  
1241 thereafter, the joint standing committee of the General Assembly  
1242 having cognizance of any of the following governmental entities or  
1243 programs shall conduct a review of the applicable entity or program in  
1244 accordance with the provisions of section 2c-3:

1245 (1) Board of Examiners of Embalmers and Funeral Directors,  
1246 established under section 20-208;

1247 [(2) Connecticut Homeopathic Medical Examining Board,  
1248 established under section 20-8;]

1249 [(3)] (2) Board of Examiners in Podiatry, established under section  
1250 20-51;

1251 [(4)] (3) Mobile Manufactured Home Advisory Council, established  
1252 under section 21-84a;

1253 [(5)] (4) Family support grant program of the Department of Social  
1254 Services, established under section 17b-616;

1255 [(6)] (5) State Commission on Capitol Preservation and Restoration,  
1256 established under section 4b-60;

1257 [(7)] (6) Council on Environmental Quality, established under  
1258 section 22a-11; and



1259        [(8)] (7) Police Officer Standards and Training Council, established  
1260        under section 7-294b.

1261        Sec. 39. Section 20-11 of the general statutes is repealed and the  
1262        following is substituted in lieu thereof (*Effective October 1, 2013*):

1263        The Department of Public Health under the supervision of the  
1264        [examining boards provided for by sections 20-8 and] Connecticut  
1265        Medical Examining Board, established pursuant to section 20-8a shall  
1266        hold examinations not less than twice each year at such places as the  
1267        department designates. Applicants for licenses to practice medicine or  
1268        surgery shall be examined in such medical subjects as the department  
1269        may prescribe, with the advice and consent of the appropriate board,  
1270        provided each applicant for examination shall be notified concerning  
1271        the subjects in which he is to be examined. The Commissioner of  
1272        Public Health, with advice and assistance from each board, shall make  
1273        such rules and regulations for conducting examinations and for the  
1274        operation of the board as, from time to time, he deems necessary.  
1275        Passing scores for examinations shall be established by the department  
1276        with the consent of the appropriate board. Each applicant for  
1277        examination shall be examined with respect to the same school of  
1278        practice in which the applicant was graduated except that an applicant  
1279        for licensure in homeopathic medicine who is licensed as a physician  
1280        or meets the requirements in section 20-10 may be examined in other  
1281        than the school of practice in which such applicant was graduated.  
1282        Before being admitted to the examination, an applicant shall pay the  
1283        sum of five hundred sixty-five dollars and an applicant rejected by the  
1284        department may be reexamined at any subsequent examination, upon  
1285        payment of the sum of five hundred sixty-five dollars for each  
1286        appearance.

1287        Sec. 40. Subsection (d) of section 20-12 of the general statutes is  
1288        repealed and the following is substituted in lieu thereof (*Effective*  
1289        *October 1, 2013*):

1290 (d) No license shall be issued under this section to any applicant  
1291 against whom professional disciplinary action is pending or who is the  
1292 subject of an unresolved complaint. The department shall inform the  
1293 [boards established under sections 20-8 and] Connecticut Medical  
1294 Examining Board, established pursuant to section 20-8a annually of the  
1295 number of applications it receives for licensure under this section.

1296 Sec. 41. Section 20-14 of the general statutes is repealed and the  
1297 following is substituted in lieu thereof (*Effective October 1, 2013*):

1298 No provision of this section, sections [20-8,] 20-9 to 20-13, inclusive,  
1299 as amended by this act, or 20-14a shall be construed to repeal or affect  
1300 any of the provisions of any private charter, or to apply to licensed  
1301 pharmacists. All physicians or surgeons and all physician assistants  
1302 practicing under the provisions of this chapter shall, when requested,  
1303 write a duplicate of their prescriptions in the English language. Any  
1304 person who violates any provision of this section regarding  
1305 prescriptions shall be fined ten dollars for each offense. Any person  
1306 who violates any provision of section 20-9 shall be fined not more than  
1307 five hundred dollars or be imprisoned not more than five years or be  
1308 both fined and imprisoned. For the purposes of this section, each  
1309 instance of patient contact or consultation which is in violation of any  
1310 provision of section 20-9 shall constitute a separate offense. Failure to  
1311 renew a license in a timely manner shall not constitute a violation for  
1312 the purposes of this section. Any person who swears to any falsehood  
1313 in any statement required by section 20-10, 20-12, 20-12b or 20-12c to  
1314 be filed with the Department of Public Health shall be guilty of false  
1315 statement.

1316 Sec. 42. Section 17a-680 of the general statutes is repealed and the  
1317 following is substituted in lieu thereof (*Effective October 1, 2013*):

1318 For purposes of sections 17a-673, 17a-680 to 17a-690, inclusive, and  
1319 subsection (d) of section 17a-484:

1320 (1) "Alcohol-dependent person" means a person who has a

1321 psychoactive substance dependence on alcohol [as that condition is  
1322 defined] that meets the criteria for moderate or severe alcohol use  
1323 disorder, as described in the most recent edition of the American  
1324 Psychiatric Association's "Diagnostic and Statistical Manual of Mental  
1325 Disorders";

1326 (2) "Business day" means Monday to Friday, inclusive, except when  
1327 a legal holiday falls on any such day;

1328 (3) "Department" means the Department of Mental Health and  
1329 Addiction Services;

1330 (4) "Dangerous to himself" means there is a substantial risk that  
1331 physical harm will be inflicted by a person on himself or herself;

1332 (5) "Dangerous to others" means there is a substantial risk that  
1333 physical harm will be inflicted by a person on another person;

1334 (6) "Drug or drugs" means a controlled drug as defined in section  
1335 21a-240;

1336 (7) "Drug-dependent person" means a person who has a  
1337 psychoactive substance dependence on drugs [as that condition is  
1338 defined] that meets the criteria for moderate or severe substance use  
1339 disorder, as described in the most recent edition of the American  
1340 Psychiatric Association's "Diagnostic and Statistical Manual of Mental  
1341 Disorders";

1342 (8) "Commissioner" means the Commissioner of Mental Health and  
1343 Addiction Services;

1344 (9) "Gravely disabled" means a condition in which a person, as a  
1345 result of the use of alcohol or drugs on a periodic or continuous basis,  
1346 is in danger of serious physical harm because (A) he or she is not  
1347 providing for his or her essential needs such as food, clothing, shelter,  
1348 vital medical care, or safety, (B) he or she needs, but is not receiving,  
1349 inpatient treatment for alcohol dependency or drug dependency, and

1350 (C) he or she is incapable of determining whether to accept such  
1351 treatment because his or her judgment is impaired;

1352 (10) "Hospital" means an establishment licensed under the  
1353 provisions of sections 19a-490 to 19a-503, inclusive, for the lodging,  
1354 care and treatment of persons suffering from disease or other  
1355 abnormal physical or mental conditions, and includes inpatient  
1356 psychiatric services in general hospitals;

1357 (11) "Incapacitated by alcohol" means a condition in which a person  
1358 as a result of the use of alcohol has his or her judgment so impaired  
1359 that he or she is incapable of realizing and making a rational decision  
1360 with respect to his or her need for treatment;

1361 (12) "Incompetent person" means a person who has been adjudged  
1362 incompetent by a court of competent jurisdiction;

1363 (13) "Intoxicated person" means a person whose mental or physical  
1364 functioning is substantially impaired as a result of the use of alcohol or  
1365 drugs;

1366 (14) "Medical officer" means a licensed physician in attendance at a  
1367 treatment facility or hospital;

1368 (15) "Respondent" means a person who is alleged to be alcohol-  
1369 dependent or drug-dependent and for whom a petition for  
1370 commitment or recommitment to an inpatient treatment facility has  
1371 been filed;

1372 (16) "Treatment" means any emergency, outpatient, intermediate  
1373 and inpatient services and care, including diagnostic evaluation,  
1374 medical, psychiatric, psychological and social services, vocational and  
1375 social rehabilitation and other appropriate services, which may be  
1376 extended to alcohol-dependent persons, drug-dependent persons and  
1377 intoxicated persons;

1378 (17) "Treatment facility" means (A) a facility providing treatment

1379 and operating under the direction and control of the department, or (B)  
1380 a private facility providing treatment and licensed under the  
1381 provisions of sections 19a-490 to 19a-503, inclusive, as amended by this  
1382 act.

1383 Sec. 43. Subsection (b) of section 19a-72 of the general statutes is  
1384 repealed and the following is substituted in lieu thereof (*Effective from*  
1385 *passage*):

1386 (b) The Department of Public Health shall maintain and operate the  
1387 Connecticut Tumor Registry. Said registry shall include a report of  
1388 every occurrence of a reportable tumor that is diagnosed or treated in  
1389 the state. Such reports shall be made to the department by any  
1390 hospital, clinical laboratory and health care provider in the state. Such  
1391 reports shall include, but not be limited to, pathology reports and  
1392 information obtained from records of any person licensed as a health  
1393 care provider and may include a collection of actual tissue samples  
1394 and such information as the department may prescribe. Follow-up  
1395 [data, demographic, diagnostic, treatment and] information shall also  
1396 be contained in the report and shall include, when available: (1)  
1397 Demographic data; (2) diagnostic, treatment, pathology, and other  
1398 operative reports; (3) hematology, medical oncology and radiation  
1399 therapy consults; and (4) other medical information [shall also be  
1400 included in the report in a form and manner] as the department may  
1401 prescribe. Such information shall be reported to the department not  
1402 later than six months after diagnosis or the first encounter for  
1403 treatment of a reportable tumor, in the form and manner prescribed by  
1404 the department. The Commissioner of Public Health shall promulgate  
1405 a list of required data items, which may be amended from time to time.  
1406 Such reports shall include every occurrence of a reportable tumor that  
1407 is diagnosed or treated during a calendar year. [Such reports shall be  
1408 submitted to the department on or before July first, annually, in such  
1409 manner as the department may prescribe.]

1410 Sec. 44. Subdivision (7) of subsection (b) of section 19a-14 and

1411 section 20-8 of the general statutes are repealed. (*Effective October 1,*  
1412 *2013*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	19a-32c
Sec. 2	<i>January 1, 2014</i>	19a-266
Sec. 3	<i>October 1, 2013</i>	19a-491c(c)
Sec. 4	<i>October 1, 2013</i>	19a-490(a)
Sec. 5	<i>October 1, 2013</i>	19a-491(c)
Sec. 6	<i>October 1, 2013</i>	19a-87b(b)
Sec. 7	<i>October 1, 2013</i>	52-146o
Sec. 8	<i>October 1, 2013</i>	19a-496
Sec. 9	<i>October 1, 2013</i>	20-13c
Sec. 10	<i>October 1, 2013</i>	20-29
Sec. 11	<i>October 1, 2013</i>	20-40
Sec. 12	<i>October 1, 2013</i>	20-45
Sec. 13	<i>October 1, 2013</i>	20-59
Sec. 14	<i>October 1, 2013</i>	20-73a(a)
Sec. 15	<i>October 1, 2013</i>	20-74g
Sec. 16	<i>October 1, 2013</i>	20-114(a)
Sec. 17	<i>October 1, 2013</i>	20-126o(a)
Sec. 18	<i>October 1, 2013</i>	20-133
Sec. 19	<i>October 1, 2013</i>	20-154
Sec. 20	<i>October 1, 2013</i>	20-192
Sec. 21	<i>October 1, 2013</i>	20-195d
Sec. 22	<i>October 1, 2013</i>	20-202
Sec. 23	<i>October 1, 2013</i>	20-227
Sec. 24	<i>October 1, 2013</i>	20-238(a)
Sec. 25	<i>October 1, 2013</i>	20-263
Sec. 26	<i>October 1, 2013</i>	20-271
Sec. 27	<i>October 1, 2013</i>	19a-522f(b)
Sec. 28	<i>October 1, 2013</i>	19a-750(c)(1)
Sec. 29	<i>October 1, 2013</i>	20-195o(b)
Sec. 30	<i>October 1, 2013</i>	20-12c(d)
Sec. 31	<i>October 1, 2013</i>	20-128a(c)
Sec. 32	<i>October 1, 2013</i>	20-132a
Sec. 33	<i>October 1, 2013</i>	20-126l(g)

Sec. 34	<i>October 1, 2013</i>	20-126 <i>l</i>
Sec. 35	<i>October 1, 2013</i>	20-12n(c)
Sec. 36	<i>October 1, 2013</i>	19a-14(c)
Sec. 37	<i>October 1, 2013</i>	20-74s(d)
Sec. 38	<i>October 1, 2013</i>	2c-2h(b)
Sec. 39	<i>October 1, 2013</i>	20-11
Sec. 40	<i>October 1, 2013</i>	20-12(d)
Sec. 41	<i>October 1, 2013</i>	20-14
Sec. 42	<i>October 1, 2013</i>	17a-680
Sec. 43	<i>from passage</i>	19a-72(b)
Sec. 44	<i>October 1, 2013</i>	Repealer section

***Statement of Purpose:***

To make various changes to the public health statutes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*